

3. Науково-практичний коментар Цивільного кодексу України. / За ред. В.М.Коссака. – К.: Істина, 2004. –С. 976.
4. Пунда О.О. Особисті немайнові права, що забезпечують природне існування людини, у Цивільному праві України : автореф. дис. на здобуття наук. ступеня докт. юрид. наук: спец. 12.00.03 «цивільне право і цивільний процес; сімейне право; міжнародне приватне право» / О.О.Пунда. –Одеса, 2011. – 24с.
5. Ромовська З. В. Особисті немайнові права фізичних осіб // Українське право. – 1997 – 150с.
6. Цивільний кодекс України 2003 р.

THE PRINCIPLES OF THE CONSTITUTIONAL STATUS OF THE PERSON AND CITIZEN

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The modern constitutional state is a democratic state in which the rights and freedoms of its citizens as well as their participation in implementation of power are provided.

Human rights are considered to be the basis of constitutionalism, for the purpose of the constitution is to ensure freedom and safety of the person. Therefore, human rights have become the most important institute of the constitutional law. Constitutional rights and freedoms belong to each individual. The rights and freedoms of the citizen belong only to those persons who are citizens of this state. Constitutional rights of the person are natural and inalienable.

The Constitution is the fundamental act of the country [1]. The position of the individual in the society, reflected and fixed in the basic law, is defined as the constitutional status of a person. Its content is primarily manifested in the institute of citizenship, principles, constitutional rights, and freedoms. The legal status of the person depends first of all on his/her social status, for instance: a citizen, foreigner, stateless person, or a person with dual citizenship. Refugees can have a special status.

Citizenship is defined as the status of a person as an official member of the state recognized under the customs or laws of this state [5]. A person may have multiple citizenships and a person who does not have citizenship of any state is considered to be stateless.

Citizens have the following rights: 1) right to vote; 2) right to get a passport; 3) right to apply to consulate assistance overseas; 4) right to re-enter their native country at any time without any immigration restrictions; 5) right to immunity from deportation; 6) right to register overseas their born children as citizens by descent; 7) right to seek employment by the government; 8) right to serve in the armed forces (where citizenship is normally required) [2]. On the other hand, the fact that the citizens enjoy a number of rights presupposes that they have certain civil duties too, namely: obey the law, pay taxes, provide for national defense, etc.

Foreigners, stateless persons, and persons with dual citizenship must know and

observe the laws of the country of their residence as well as the citizens of the country [3].

References

1. Піча В. М., Хома Н. М. Політологія. – Львів, 2011. – 128 с.
2. Спірідонов Л. І. Теорія держави і права – Полтава: Тираж, 2005. – 216 с.
3. Четвернін В. А. Демократична конституційна держава: Введення в теорію конституційного права. – К.: Вища школа, 2003. – 350 с.
4. <http://www.rada.gov.ua/>
5. <http://en.wikipedia.org/>

MODERN DEMOCRACY AND DEVELOPMENT PROSPECTS

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One of the main criterion of formation society is level of democracy. Political players see the purpose condition, effective means of public life and the transformation of the political system. So, democracy is the most effective way to implement and improve social contradictions.

Economist Intelligence Unit gives the most informed assessment of democracy in the world. 25 countries of the world named completely democratic. Flawed democracy is in 53 countries in the world. 37 countries have hybrid mode. Authoritarian regime has 52 countries. The researches studied the situation in 165 independent states and mentioned in the report, that:

“Public trust has fallen to political system in the world. There was many riots, which jeopardized democratic governments in many countries.

Level of democracy decreased in 12 countries of Eastern Europe and 7 countries of Western Europe.

The United States of America found itself at the end of the list of states with a “full democracy”, as the negative influence did political instability and constant brinkmaking and bankruptcy.

Violence, drug trafficking and high crime rates had a negative influence on democracy in Latin America.

The situation in Europe is a concern because the political system of the EU should survive unusual economy, high unemployment and low economic growth”

So, we should define more level of democracy in different parts of the world”.

Among the countries in Africa and the Arab World “The Economist” identified only one country with “full democracy” (island of Mauritius), 9 of “defective democracies”, 11 countries of “hybrid government” and 23 of “authoritarian”. This reduced some signs of democracy in Africa. For example, 30 of the ruling parties and leaders were displaced after the elections of 1991, according to another report “The Economist”.

The report stresses that an unexpected democratization in the Arab world